



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

Darrell ANDERSON et al.

Application No. 09/874,1417

Filed: November 26, 2001

Title: NON-AGONISTIC ANTIBODIES TO HUMAN GP39 COMPOSITIONS CONTAINING AND THERAPEUTIC USE THEREOF

BOX SEQUENCE

Group Art Unit:

Examiner:

* * * * *

RESPONSE WITH SEQUENCE LISTING

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application dated August 29, 2001 attached please find a copy of the "Sequence Listing" in computer readable format along with a Statement to Support Filing and Submission in Accordance with 37 C.F.R. §1.821-1.825.

Applicant respectfully submits that the content of the sequence listing information recorded in computer readable form is identical to the written sequence listing submitted herewith and includes no new matter.

Respectfully submitted,
Pillsbury Winthrop LLP

By: 

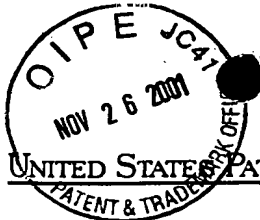
Robin L. Teskin

Registration No. 35,030

1600 Tysons Boulevard
McLean, VA 22102
(703) 905-2000
(703) 905-2500 Facsimile

Date: November 26, 2001

Enclosure: Statement to Support Filing
Sequence Listing (including electronic copy)



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/874,141	06/06/2001	Anderson Darrell	P 0280632 1995-30-0231CP2

CONFIRMATION NO. 6256

FORMALITIES LETTER



OC00000006494194

00909
PILLSBURY WINTHROP LLP
1600 TYSONS BOULEVARD
MCLEAN, VA 22102

Date Mailed: 08/29/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspt .gov

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A copy of this notice MUST be returned with the reply.

HAB

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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Boxed Section #

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FILING COMPLETION UNDER RULE 53(f)

(NOT PCT Applications)

For Design, Provisional, or Utility Applications

PATENT APPLICATION



COMPLETION Under Rule 53(f)

In re PATENT APPLICATION of

Inventor(s): Anderson et al.

Attn: Application Division

Appln. No.: 09 874,141 Atty.Dkt. P 0280632 1995-30-0231CP2
Series Code # Serial No. # M# Client Ref

Filed: June 6, 2001

Title: Non-Agonistic Antibodies to Human Gp39 Compositions Containing and Therapeutic Use Thereof

Hon. Commissioner of Patents
Washington, DC 20231

Date: November 26, 2001

Sir:

The following completes the filing under Rule 53(f) of the above-identified patent application:

1. Notice to File Missing Parts ☒ copy attached ☐ not yet received
2. ☒ Signed Declaration attached. ☒ Original ☐ Facsimile/Copy

(Always "X" box 2 if filing signed Declaration and

"X" box 2A only if top box of the Declaration is X'd and file application copy, or

"X" box 2B only if none of the top three boxes of the Declaration is X'd.)

- 2A. ☐ Attached: Original signed Declaration with attached specification (including claim(s)) which is a copy of specification and claim(s) originally filed to secure the above filing date.
2B. ☒ The original application as filed in the PTO on the above filing date is the application which each inventor executed by signing the attached Rule 63 Declaration.
3. ☐ Specification originally filed in non-English language; hence verified translation attached of:
a. ☐ Abstract
b. # pages of Specification (only spec. & claims)
c. ☐ Drawing(s) No of Sheets
☐ Fig(s).

4. ☐ Letter filing formal drawing attached.
5. ☒ Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.
6. DOMESTIC/INTERNATIONAL priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1) 60/209,584	6 June 2000	(2) 08/554,840	7 November 1995
(3)		(4)	
(5)		(6)	

7. FOREIGN priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in

Application No.	Filing Date	Application No.	Filing Date
(1)		(2)	
(3)		(4)	
(5)		(6)	

Completion Under Rule 53(f)

9. _____ (No.) Certified copy (copies): ☐ attached; ☐ previously filed (date) _____
in U.S. Application No. _____ / _____ filed on _____
10. Small Entity Status ☐ ☒ is Not claimed ☐ is claimed (file PAT-256 if this is the first claim of Small Entity Status)
11. ☒ Attached: Formal Sequence Listing with electronic version thereof
12. ☐ Preliminary Amendment:

THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED

				Large/Small Entity		Fee Code	
13. Basic Filing Fee Design Application				\$330/\$165		106/26	
Not Design Application				\$740/\$370	+0	101/201	
14. Total Effective Claims		minus 20 =		x \$18/\$9	+0	103/203	
15. Independent Claims		minus 3 =		x \$84/\$42	+0	102/202	
16. If <u>any proper</u> multiple dependent claim (ignore improper) is present, (Leave this line <u>blank</u> if this is a <u>reissue</u> application)				\$280/\$140	+0	104/204	
17. Surcharge for filing Declaration/filing fee late				\$130/\$65	+130	105/205	
18. FILING FEE ENCLOSED =				\$130			
19. Original due date: October 29, 2001							
20. Petition is hereby made to extend the <u>original</u> due date to cover the date this response is filed for which the requisite fee is attached				(1 mo)	\$110/\$55 =	+110	115/215
				(2mos)	\$400/\$200 =		116/216
				(3mos)	\$920/\$460 =		117/217
				(4mos)	\$1,440/\$720 =		118/218
21. If "non-English" box 3 is X'd, add Rule 17(k) processing fee				\$130	+0	139	
22. If "assignment" box 5 is X'd, add recording fee.				\$40	+40	581	
23. Petition Fee for				\$130	+0		
24. TOTAL FEE ENCLOSED =				\$280			

Our Deposit Account No. 03-3975

Our Order No. 037003

0280632

C#

M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. **This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.**

Pillsbury Winthrop LLP
Intellectual Property Group

1600 Tysons Boulevard
 McLean, VA 22102
 Tel: (703) 905-2000

By Atty: Robin L. TeskinReg. No. 35,030Sig: 

Fax: (703) 905-2500
 Tel: (703) 905-2200

Atty/Sec: RLT/LAK

NOTE: File in duplicate with PTO receipt (PAT-103A) and attachments